



#12 B
2/25/03

Express Mail No. EL 500 578 472 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jeffrey C. Rapp

Confirmation No. 1388

RECEIVED

Application No.: 09/922,549

Group Art Unit: 1632

FEB 19 2003

Filed: August 3, 2001

Examiner: Wilson, Michael C.

TECH CENTER 1600/2900

For: AVIAN LYSOZYME
PROMOTER

Attorney Docket No.: 11106-019 (formerly
AVI-013)

**PROVISIONAL ELECTION UNDER 37 C.F.R. §1.143 WITH TRAVERSE
AND AMENDMENT**

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

In response to the outstanding Office Action dated December 11, 2002, please enter the following amendments and consider the following remarks.

Attached hereto is: **Exhibit A** ("Marked-Up Version to Show Changes Made in Specification"); and **Exhibit B** ("Marked-Up Version to Show Changes Made in Claims").

Applicant is filing concurrently herewith: a Petition for Extension of Time for one month, from January 11, 2003, up to and including February 11, 2003.

In the specification:

Please amend the specification as follows:

Please replace the Abstract on page 80, with the following rewritten paragraph:

--The present invention provides isolated nucleic acids comprising an avian lysozyme gene expression control region operably linked with a nucleic acid sequence encoding a heterologous polypeptide. The present invention is useful for reducing the chromosomal positional effect when such a nucleic acid is expressed in a transfected avian cell. The nucleic acids may additionally comprise a signal peptide sequence or a polyadenylation signal

B1